

**FIFTY-EIGHTH LEGISLATIVE DAY
TUESDAY, MARCH 4, 2003**

House of Representatives

The House convened at 10:45 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused -- Barrett, Wood. Total -- 2.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Kate DeGroot, Page.

Approval of Journal

March 4, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-seventh Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

OFFICE OF THE GOVERNOR
Boise

March 3, 2003

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 13, as amended

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

March 3, 2003

Mr. Speaker:

I transmit herewith enrolled **S 1011**, **S 1052**, and **S 1106** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1011**, **S 1052**, and **S 1106** and, when so signed, ordered them returned to the Senate.

March 3, 2003

Mr. Speaker:

I transmit herewith **S 1050**, **S 1121**, **S 1122**, **S 1059**, **S 1100**, **S 1061**, **S 1066**, **S 1085**, **S 1053**, as amended, **S 1101**, **S 1099**, **S 1123**, and **S 1120** which have passed the Senate.

WOOD, Secretary

S 1050, **S 1121**, **S 1122**, **S 1059**, **S 1100**, **S 1061**, **S 1066**, **S 1085**, **S 1053**, as amended, **S 1101**, **S 1099**, **S 1123**, and **S 1120** were filed for first reading.

March 3, 2003

Mr. Speaker:

I return herewith **H 115**, **H 116**, **H 181**, **H 182**, **H 145**, **H 146**, **H 103**, **H 138**, **H 23**, **H 24**, and **H 25** which have passed the Senate.

WOOD, Secretary

H 115, **H 116**, **H 181**, **H 182**, **H 145**, **H 146**, **H 103**, **H 138**, **H 23**, **H 24**, and **H 25** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 4, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 317**.

FIELD(18), Chairman

H 317 was referred to the Revenue and Taxation Committee.

March 3, 2003

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 271** and recommend that it do pass.

TILMAN, Chairman

H 271 was filed for second reading.

February 26, 2003

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENTAL AFFAIRS, report that we have had under consideration **HCR 26** and recommend that it do pass.

BARRACLOUGH, Chairman

HCR 26 was filed for second reading.

March 3, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **HCR 27** and recommend that it do pass.

FIELD(18), Chairman

HCR 27 was filed for second reading.

March 3, 2003

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **H 284** and recommend that it do pass.

STEVENSON, Chairman

H 284 was filed for second reading.

March 3, 2003

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **H 316** and report it back with amendments attached to be placed on General Orders for consideration.

SCHAEFER, Chairman

H 316 was placed on General Orders for consideration.

March 4, 2003

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 291** and recommend that it do pass.

DEAL, Chairman

H 291 was filed for second reading.

March 4, 2003

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 272** and recommend that it do pass.

TILMAN, Chairman

H 272 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 318 BY EDUCATION COMMITTEE

AN ACT

RELATING TO EARLY RETIREMENT INCENTIVES FOR CERTIFICATED EMPLOYEES OF PUBLIC SCHOOL DISTRICTS; AMENDING SECTION 33-1004G, IDAHO CODE, TO PROVIDE THAT THE CURRENT SCHEDULE FOR CALCULATING AN EMPLOYEE'S EARLY RETIREMENT INCENTIVE SHALL BE EFFECTIVE THROUGH JUNE 30, 2004, AND TO PROVIDE A REVISED SCHEDULE FOR CALCULATING AN EMPLOYEE'S EARLY RETIREMENT INCENTIVE EFFECTIVE ON AND AFTER JULY 1, 2004; REPEALING SECTION 33-1004G, IDAHO CODE; AND PROVIDING EFFECTIVE DATES.

HOUSE BILL NO. 319 BY EDUCATION COMMITTEE AN ACT

RELATING TO THE SCHOOL BOND LEVY EQUALIZATION SUPPORT PROGRAM; AMENDING SECTION 33-802A, IDAHO CODE, TO CHANGE THE TIME LIMITATIONS WHICH GOVERN LEVY AMOUNTS; AND AMENDING SECTION 33-906, IDAHO CODE, TO PROVIDE A SPECIAL APPLICATION OF STATE PAYMENT PROVISIONS AND TO REQUIRE SPECIFIED REPORTS.

HOUSE BILL NO. 320 BY EDUCATION COMMITTEE AN ACT

RELATING TO EARLY RETIREMENT INCENTIVES FOR CERTIFICATED EMPLOYEES OF PUBLIC SCHOOL DISTRICTS; AMENDING SECTION 33-1004G, IDAHO CODE, TO PROVIDE THAT ADMINISTRATIVE AND SUPERVISORY STAFF SHALL BE EXCLUDED FROM PARTICIPATION IN THE EARLY RETIREMENT INCENTIVE PROGRAM.

HOUSE BILL NO. 321 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO DEVELOPMENT RIGHTS; AMENDING SECTION 67-6515A, IDAHO CODE, TO PROVIDE THAT SELLERS AND BUYERS OF TRANSFERABLE DEVELOPMENT RIGHTS SHALL HAVE THE DISCRETION TO MAKE CERTAIN DETERMINATIONS REGARDING SUCH RIGHTS, TO PROVIDE FOR TIME PERIODS SET PURSUANT TO WRITTEN CONTRACTS, TO PROVIDE THAT ORDINANCES SHALL PRESCRIBE PROCEDURES FOR THE ISSUANCE AND RECORDING OF CERTAIN INSTRUMENTS RELATING TO THE TRANSFER OF DEVELOPMENT RIGHTS, TO SET FORTH REQUIREMENTS FOR SUCH INSTRUMENTS AND TO PROVIDE THAT TRANSFERS OF DEVELOPMENT RIGHTS WITHOUT WRITTEN AND RECORDED CONSENT SHALL BE VOID.

HOUSE BILL NO. 322 BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO THE CREDIT ENHANCEMENT PROGRAM FOR SCHOOL DISTRICT BONDS; AMENDING SECTION 57-728, IDAHO CODE, TO INCREASE THE AMOUNT OF MONEY THE ENDOWMENT FUND INVESTMENT BOARD SHALL MAKE AVAILABLE FROM THE PUBLIC SCHOOL PERMANENT ENDOWMENT FUND FOR PURPOSES OF PURCHASING NOTES AND TO PROVIDE THAT THE AMOUNT OF DEBT GUARANTEED BY THE CREDIT ENHANCEMENT PROGRAM SHALL NOT BE GREATER THAN THREE TIMES THE AMOUNT MADE AVAILABLE BY THE PUBLIC SCHOOL PERMANENT ENDOWMENT FUND; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 323

BY STATE AFFAIRS COMMITTEE**AN ACT**

RELATING TO CAMPAIGN CONTRIBUTIONS; AMENDING CHAPTER 66, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6610D, IDAHO CODE, TO REQUIRE THAT CAMPAIGN CONTRIBUTIONS IN EXCESS OF TWO HUNDRED DOLLARS BE ACCOMPANIED BY A STATEMENT OF THE CONTRIBUTOR'S OCCUPATION, EMPLOYER AND EMPLOYER'S ADDRESS IF THE CONTRIBUTOR IS EMPLOYED; AND AMENDING SECTION 67-6612, IDAHO CODE, TO REQUIRE THAT STATEMENTS CONTAIN THE OCCUPATION, EMPLOYER AND EMPLOYER'S ADDRESS OF PERSONS CONTRIBUTING OVER TWO HUNDRED DOLLARS AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 324**BY EDUCATION COMMITTEE****AN ACT**

RELATING TO FRANCHISE AGREEMENTS; AMENDING SECTION 29-110, IDAHO CODE, TO PROVIDE THAT ANY CONDITION, STIPULATION OR PROVISION, INCLUDING ANY CHOICE OF LAW PROVISION, PURPORTING TO BIND ANY PERSON, WHO AT THE TIME OF ENTERING INTO A FRANCHISE AGREEMENT IS A RESIDENT OF THIS STATE, OR IN THE CASE OF A PARTNERSHIP, LIMITED LIABILITY COMPANY OR CORPORATION, ORGANIZED OR INCORPORATED UNDER THE LAWS OF THIS STATE, OR PURPORTING TO BIND A PERSON ENTERING INTO A FRANCHISE AGREEMENT WITH RESPECT TO A FRANCHISE TO BE OPERATED IN THIS STATE, TO WAIVE COMPLIANCE WITH SECTION 29-110, IDAHO CODE, OR WHICH HAS THE EFFECT OF WAIVING COMPLIANCE WITH SECTION 29-110, IDAHO CODE, IS VOID AND TO CLARIFY APPLICATION.

HOUSE BILL NO. 325**BY EDUCATION COMMITTEE****AN ACT**

RELATING TO POWERS OF SCHOOL DISTRICT BOARDS OF TRUSTEES; AMENDING SECTION 33-1271, IDAHO CODE, TO PROVIDE THAT BOARDS OF TRUSTEES MAY ENTER INTO A NEGOTIATION AGREEMENT.

HOUSE BILL NO. 326**BY EDUCATION COMMITTEE****AN ACT**

RELATING TO SAFE SCHOOLS AND REPAIR, RENOVATION OR REPLACEMENT OF UNSAFE OR UNHEALTHY CONDITIONS IN PUBLIC SCHOOL FACILITIES; PROVIDING A STATEMENT OF LEGISLATIVE INTENT; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1613A, IDAHO CODE, TO PROVIDE THAT THE REPAIR, RENOVATION OR REPLACEMENT OF UNSAFE OR UNHEALTHY CONDITIONS IN PUBLIC SCHOOL FACILITIES IS AN ORDINARY AND NECESSARY

EXPENSE WITHIN THE MEANING OF SECTION 3, ARTICLE VIII, OF THE CONSTITUTION OF THE STATE OF IDAHO; DECLARING AN EMERGENCY AND PROVIDING APPLICATION TO ALL PENDING PROCEEDINGS.

HOUSE BILL NO. 327**BY REVENUE AND TAXATION COMMITTEE****AN ACT**

RELATING TO MUTUAL INSURANCE HOLDING COMPANIES; AMENDING SECTION 41-3821, IDAHO CODE, TO PROVIDE THAT THE FORMATION OF MUTUAL INSURANCE HOLDING COMPANIES SHOULD NOT INCREASE THE TAX BURDEN OF THE MUTUAL INSURANCE HOLDING COMPANY SYSTEM, TO PROVIDE THAT STOCK INSURANCE SUBSIDIARIES SHALL CONTINUE TO BE SUBJECT TO PREMIUM TAXATION AND REAL PROPERTY TAXATION, TO PROVIDE THAT SUBJECT TO THE APPROVAL OF THE DIRECTOR DIVIDENDS OR DISTRIBUTIONS MAY BE ISSUED BY A STOCK INSURANCE SUBSIDIARY TO A MUTUAL INSURANCE HOLDING COMPANY OR INTERMEDIATE HOLDING COMPANY, TO PROVIDE THAT SUCH DIVIDENDS OR DISTRIBUTIONS SHALL BE EXCLUDED FROM IDAHO TAXABLE INCOME AND TO PROVIDE THAT THE EXCLUSION SHALL NOT APPLY IN CERTAIN CIRCUMSTANCES; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 328**BY APPROPRIATIONS COMMITTEE****AN ACT**

APPROPRIATING MONEYS FOR THE PUBLIC EMPLOYEE RETIREMENT SYSTEM FOR FISCAL YEAR 2004; CLARIFYING THE APPROPRIATION FOR THE PORTFOLIO INVESTMENT PROGRAM; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

H 318, H 319, H 320, H 321, H 322, H 323, H 324, H 325, H 326, H 327, and H 328 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1050, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

S 1120, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

S 1121 and S 1122, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1059, S 1100, S 1101, and S 1099, by Resources and Environment Committee, were introduced, read the first time by title, and referred to the Resources and Conservation Committee.

S 1061, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1066 and **S 1085**, by Commerce and Human Resources Committee, were introduced, read the first time by title, and referred to the Business Committee.

S 1053, as amended, and **S 1123**, by State Affairs Committee, were introduced, read the first time by title, and referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

S 1112, by State Affairs Committee, was read the second time by title and filed for third reading.

H 15, by Mr. Speaker, requested by Bureau of Occupational Licenses, was read the second time by title and filed for third reading.

H 264, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Denney asked unanimous consent that **H 275** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

Mr. Sali asked unanimous consent that **H 202** retain its place on the Third Reading Calendar until Thursday, March 6, 2003. There being no objection, it was so ordered.

H 276 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **H 276** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Barrett, Naccarato, Wood. Total -- 3.
Total -- 70.

Whereupon the Speaker declared **H 276** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 307 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jones to open debate.

The question being, "Shall **H 307** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Barrett, Crow, Wood. Total -- 3.
Total -- 70.

Whereupon the Speaker declared **H 307** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 308 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jones to open debate.

The question being, "Shall **H 308** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Barrett, Crow, Wood. Total -- 3.
Total -- 70.

Whereupon the Speaker declared **H 308** passed the House. Title was approved and the bill was ordered transmitted to the

Senate.

H 309 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jones to open debate.

The question being, "Shall **H 309** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Barrett, Crow, Kulczyk, Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 309** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 140 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Martinez to open debate.

The question being, "Shall **H 140** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Barrett, Crow, Wood. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 140** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1047 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Snodgrass to open debate.

The question being, "Shall **S 1047** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 65.

NAYS -- Kulczyk. Total -- 1.

Absent and excused -- Barrett, Crow, Cuddy, Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1047** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1048 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cannon to open debate.

The question being, "Shall **S 1048** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Barrett, Crow, Cuddy, Harwood, Jaquet, Jones, Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1048** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney asked unanimous consent that **HJM 4** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

H 214 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 214** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Barrett, Crow, Jaquet, Jones, Moyle, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 214** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1029 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ellsworth to open debate.

The question being, "Shall **S 1029** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Barrett, Bieter, Crow, Jones, Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1029** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1030 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall **S 1030** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Barrett, Bieter, Jones, Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1030** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney asked unanimous consent that **S 1031** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

S 1032 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ridinger to open debate.

The question being, "Shall **S 1032** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills. Total -- 66.

NAYS -- Mr. Speaker. Total -- 1.

Absent and excused -- Barrett, Jones, Wood. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1032** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1033 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Boe to open debate.

The question being, "Shall **S 1033** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 66.

NAYS -- Clark. Total -- 1.

Absent and excused -- Barrett, Jones, Wood. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1033** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1034 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Edmunson and Mr. Harwood to open debate.

The question being, "Shall **S 1034** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Barrett, Bradford, Clark, Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1034** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that the House recess until 1 p.m. Seconded by Mr. Moyle. Motion carried.

Whereupon the Speaker declared the House at recess until 1 p.m.

RECESS

Afternoon Session

The House reconvened at 1 p.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused -- Barrett, Field(23), Lake. Total -- 3.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

There being no objection, the House returned to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 329 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO THE VOLUNTARY CONTRIBUTIONS ACT; AMENDING TITLE 44, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 26, TITLE 44, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE LIMITS ON LABOR ORGANIZATION CONTRIBUTIONS, TO PROVIDE CRIMINAL ACTS AND PENALTIES AND TO PROVIDE REGISTRATION AND DISCLOSURE REQUIREMENTS FOR EACH FUND ESTABLISHED BY A LABOR ORGANIZATION UNDER THIS VOLUNTARY CONTRIBUTIONS ACT; AMENDING SECTION 44-2004, IDAHO CODE, TO PROVIDE THAT DEDUCTIONS FOR POLITICAL ACTIVITIES, AS DEFINED IN THE VOLUNTARY CONTRIBUTIONS ACT, SHALL NOT BE DEDUCTED FROM THE WAGES, EARNINGS OR COMPENSATION OF AN EMPLOYEE AND TO PROVIDE THAT NOTHING IN THE RIGHT TO WORK LAW SHALL PROHIBIT AN EMPLOYEE FROM PERSONALLY PAYING CONTRIBUTIONS FOR POLITICAL ACTIVITIES AS DEFINED IN CHAPTER 26, TITLE 44, IDAHO CODE, TO A LABOR ORGANIZATION UNLESS SUCH PAYMENT IS PROHIBITED BY LAW AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-6605, IDAHO CODE, TO PROVIDE THAT A POLITICAL COMMITTEE MAY SOLICIT OR OBTAIN CONTRIBUTIONS FROM INDIVIDUALS AS PROVIDED IN THE VOLUNTARY CONTRIBUTIONS ACT OR AS PROVIDED IN THE STATE'S RIGHT TO WORK LAW; TO PROVIDE PROSPECTIVE APPLICATION; AND TO PROVIDE SEVERABILITY.

H 329 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 4, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 329**.

FIELD(18), Chairman

H 329 was filed for second reading.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 273 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cuddy to open debate.

The question being, "Shall **H 273** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- Smith(24). Total -- 1.

Absent and excused -- Barrett, Bauer, Field(23), Lake, Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 273** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 263 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Garrett to open debate.

The question being, "Shall **H 263** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett,

Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Barrett, Field(23), Lake, Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 263** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 270 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eberle to open debate.

The question being, "Shall **H 270** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 63.

NAYS -- Kulczyk, Langford. Total -- 2.

Absent and excused -- Barrett, Cuddy, Field(23), Lake, Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 270** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 10:45 a.m., Wednesday, March 5, 2003. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:29 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk